Application No.: 09/857,581

Docket No.: BB1339 Page 2

REMARKS

Applicant respectfully requests an interview in accordance with 37 C.F.R. § 1.133(a)(1) prior to the next office communication. The Examiner is invited to contact the undersigned in an effort to arrange a mutually agreeable time therefor.

The instant reply is filed in response to the office action dated December 4, 2002 in the above-identified application.

The change in the specification corrects a clerical error. Support for this change is found in the specification as filed at page 38, lines 2-4.

In the Office Action the Claims were subject to a lack of unity of invention rejection and divided into 94 independent groups. Applicants elect the Claims of Group I (Claims 1, 3-19, 26, 28-33, 44, and 45), without traverse, and the invention of Group u (SEQ ID NO:66), with traverse.

Appendix A and B, filed herewith, provide additional evidence regarding the relationship between the claimed amino acid sequences. The subject office action includes 20 nucleotide sequences and the 20 amino acid sequences encoded by them (Groups a-t), and a consensus sequence generated from aligning the 20 amino acid sequences (Group u). The consensus sequence is shown in the subject application as SEQ ID NO:66. The 65 positions at which there is at least one difference among the 20 amino acid sequences is indicated as Xaa in SEQ ID NO: 66. Each of the Xaa positions is defined in the specification as filed at page 41, line 16 through page 42, line 11.

In the accompanying Appendix A, the amino acids which differ among the 20 isoflavone synthase amino acid sequences are boxed in black and written in white. This alignment shows that out of 521 amino acids, there are only 65 differences among the different isoflavone synthases. Furthermore as indicated in Table 2 at pages 40 and 41 of the application as filed, and in the accompanying Appendix B, the 20 amino acid sequences are between 95.6 and 99.0% identical to each other. Thus, the amino acid sequences of Groups a-u have the same function (as indicated by the assays shown in Examples 5, 6, and 7 of the application as filed), and are more than 95% identical to each other. Thus, there is unity of invention among Groups a-u.

In view of the foregoing amendments and remarks, early and favorable notification of allowance of claims 1, 3-19, 26, 28-33, 44, and 45 is earnestly solicited.

Respectfully submitted,

LORI X. BEARDELL

ATTORNEY FOR APPLICANTS REGISTRATION NO. 34,293

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FACSIMILE: (302) 892-1026

Dated: April 1, 2013

Application No.: 09/857,581

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VERSION WITH MARKING TO SHOW CHANGES MADE

In showing the changes, deleted material is shown in brackets, and inserted material is shown underlined.

IN THE SPECIFICATION:

Please replace the paragraph beginning at page 11, line 11:

SEQ ID NO:30 is the deduced amino acid sequence of an entire mung bean isoflavone synthase derived from SEQ ID NO:[30]29.

APPENDIX A

3

ID NO:48 and SEQ ID NO:26, SEQ ID NO:28, and SEQ ID NO:30), red clover (SEQ ID NO:32 and SEQ ID NO:34), snow soybean (SEQ ID NO:2 and SEQ ID NO:10), alfalfa (SEQ ID NO:16, SEQ ID NO:57, and SEQ ID NO:59) SEQ ID NO:61), lupine (SEQ ID NO:55), and the consensus sequence (SEQ ID NO:66). Amino acids hairy vetch (SEQ ID NO:18), lentil (SEQ ID NO:20 and SEQ ID NO:22), mung bean (SEQ ID NO:24, Valignment of the amino acid sequences corresponding to isoflavone synthases from that are different in at least one sequence are boxed in black and written in white. pea (SEQ ID NO:36), white clover (SEQ ID NO:38 and SEQ ID NO:40), sugar beet (SEQ program uses dashes to maximize the alignment. Clustal

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361	闰	FEC B	EEC B	EEC	DING	BNI	ם	回	EEC 12	Ω	ETFRMHPPLPVVKRKC T EEC E	E ING	EC B	百〇	ប	n ING	ロ	EEC	EEC D ING	ETFRMHPPLPVVKRKC T EEC E ING	X ING
361	NO: 2 ETFRMHPPLPVVKRKC T EEC E	NO:10 ETFRMHPPLPVVKRKC T EEC E	NO:16 ETFRMHPPLPVVKRKC T EEC E	NO:18 ETFRMHPPLPVVKRKC I EEC I	NO:20 ETFRMHPPLPVVKRKC T EEC B ING	NO:22 ETFRMHPPLPVVKRKC I EEC IN ING	NO:24 ETFRMHPPLPVVKRKC T EEC 13	NO:26 ETFRMHPPLPVVKRKC T EEC 13	NO:28 ETFRMHPPLPVVKRKC T EEC E	NO:30 ETFRMHPPLPVVKRKC I EEC I	NO:32 ETFRMHPPLPVVKRKC T EEC E	NO:34 ETFRMHPPLPVVKRKC T EEC B ING	NO:36 ETFRMHPPLPVVKRKC T EEC E	NO:38 ETFRMHPPLPVVKRKC T EEC E	NO:40 ETFRMHPPLPVVKRKC T EEC G	NO:61 ETFRMHPPLPVVKRKC I EEC B ING	NO:55 ETFRMHPPLPVVKRKC T EEC E	NO:57 ETFRMHPPLPVVKRKC T EEC D	NO:59 ETFRMHPPLPVVKRKC T EEC B ING	NO:48 ETFRMHPPLPVVKRKC T EEC E ING	NO:66 ETFRMHPPLPVVKRKC X EEC X ING
361	: 2 ETFRMHPPLPVVKRKC T EEC D	:10 ETFRMHPPLPVVKRKC T EEC D	ID NO:16 ETFRMHPPLPVVKRKC T EEC E	ID NO:18 ETFRMHPPLPVVKRKC T EEC E	ID NO:20 ETFRMHPPLPVVKRKC T EEC E ING	ID NO:22 ETFRMHPPLPVVKRKC T EEC E ING	ID NO:24 ETFRMHPPLPVVKRKC T EEC 13	ETFRMHPPLPVVKRKC I EEC I	ID NO:28 ETFRMHPPLPVVKRKC T EEC E	ETFRMHPPLPVVKRKC I EEC D	ID NO:32 ETFRMHPPLPVVKRKC T EEC E	ID NO:34 ETFRMHPPLPVVKRKC T EEC E ING	ID NO:36 ETFRMHPPLPVVKRKC T EEC E	ID NO:38 ETFRMHPPLPVVKRKC T EEC E	ID NO:40 ETFRMHPPLPVVKRKC T EEC G	ID NO:61 ETFRMHPPLPVVKRKC I EEC E ING	NO:55 ETFRMHPPLPVVKRKC T EEC E	ID NO:57 ETFRMHPPLPVVKRKC T EEC E	59 ETFRMHPPLPVVKRKC T EEC 12 ING	NO:48 ETFRMHPPLPVVKRKC T EEC E ING	ETFRMHPPLPVVKRKC X EEC X ING



480 ATLLASLIQCFDLQVLGPQGQ M ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ M ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ M ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ M ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ **ATLLASLIQCFDLQVLGPQGQ** ATLLASLIQCFDLQVLGPQGQ ATLLASLIQCFDLQVLGPQGQ M ATLLASLIQCFDLQVLGPQGC Σ LATSG N S N X \mathbf{z} N Z N N N N N Z MCPGV MCPGV MCPGV MCPGV MCPGV MCPGV MCPGV MCPGV R MCPGV ĸ **4** አ ፈ 召 × ĸ 껖 ፈ ፈ <u>~</u> ŋ ĸ മ œ α **4** R 24 HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFOLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFOLLPFGSGR HFQLLPFGSGR HFOLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR HFQLLPFGSGR| HFQLLPFGSGR HFOLLPFGSGR HFOLLPFGSGR õ R õ ŏ õ Õ ŏ õ õ õ õ ð ŏ Õ õ õ õ LDLRG X \mathbb{R} P RPRP \mathbb{RP} \mathbf{RP} GБ AEGEA G G G G G G G G G G G G G G 国 Ð G ß G NO:16 NO:18 NO:34 NO:38 NO:55 NO:24 NO:32 NO:36 NO:59 NO: 66 NO:10 NO:20 NO:22 NO:26 NO:28 No:30 NO:40 NO:57 NO:48 NO: 61 . 0N QI ΠD ΠD ID ID ΠD ID ΠD ΠD ID ΩI QI Π QI П ΩI Π SEQ SEQ



481 522	ILKGDDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	TLKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	ILKGDDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGDDAKÝSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLSK	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	ILKGDDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-	ILKGDDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGDDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARI	ILKGGDAKVSMEERAGLTVPRAHSLVCVPLARIGVASKLLS-
4	No: 2	NO:10	NO:16	NO:18	NO:20	NO:22	NO:24	NO:26	NO:28	NO:30	NO:32	NO:34	NO:36	NO:38	NO:40	NO:61	NO:55	NO:57	NO:59	NO:48	NO:66
	ID	ID	ID	ID	ΠD	ID	ID	ID	ID	ID	Π	ID	ID	ID	Π	ID	ID	ID	ID	ID	ID
	ΣΩ	ΣΩ	ΣĞ	ΈQ	ξĒ	ξĒQ	EQ	ΣΩ	ΣΩ	ξĒ	ΣĔΩ	ĔΩ	ξEQ	ΈQ	ΈQ	ξEQ	EQ	ξĔ	ξEQ	SEQ SEQ	ν

APPENDIX B



APR 0 7 2000	61 55 57 59 48	96.6 96.2 96.2 96.6 95.6 2	98.6 98.2 98.2 98.6 97.6 10	95.6 95.2 95.2 95.6 94.6 16	98.4 98.0 98.4 98.8 97.4 18	96.6 96.2 96.2 96.6 95.6 20	98.6 98.2 98.6 97.6 22	99.2 98.8 98.8 99.2 98.2 24	99.2 98.8 98.8 99.2 98.6 26	99.2 98.8 99.2 99.6 98.2 28	99.2 98.8 98.8 99.2 98.2 30	98.8 98.4 98.8 99.4 97.8 32	99.2 98.8 99.2 99.6 98.2 34	95.6 95.2 95.2 95.6 94.6 36	95.0 94.8 94.6 95.0 94.0 38	96.8 96.4 96.4 96.8 95.8 40	*** 98.4 98.4 97.8 61	1.6 *** 98.0 98.4 97.4 55	1.6 2.0 *** 98.8 97.4 57	1.2 1.6 1.2 *** 97.8 59	01 *** 66 66 66
	38 40	98.4 99.0	95.2 97.0	97.4 98.0	94.6 96.4	97.2 98.6	94.8 96.6	95.4 97.6	95.4 97.2	95.4 97.2	95.4 97.2	95.0 96.8	95.4 97.2	97.4 98.0	*** 97.4	2.5 ***	5.0 3.3	5.2 3.7	5.4 3.7	5.0 3.3	61 13
	36	0.66 7.	.0 95.8	.0 98.2	2 95.2	8.76 0.	0 95.4	4 96.0	4 96.0	0.96 8.	.4 96.0	4 95.6	* 96.0	***	8 2.7	9 2.0	8 4.5	5 5.0	8 5.0	4 4.8	95 8
APPENDIX B	32 34	96.4 96.7	98.7 99.0	95.6 96.0	98.8 99.2	0.76 9.96	0.66 9.86	99.0 99.4	99.0 99.4	99.4 99.8	99.0 99.4	*** 99.4	0.4 ***	4.6 4.2	5.2 4.8	3.3 2.9	1.2 0.8	1.6 1.2	1.2 0.8	0.6 0.4	77 18
PENI	30	7 96.7	0.66 0	0.96 0	2 98.8	0 97.0	0.66 0	4 99.4	4 99.4	99.4	***	0.8	0.4	4.2	4.8	2.9	8.0	1.2	1.2	8.0	1.0
AP	26 28	2.96 2.96	0.66 0.66	0.96 0.96	98.8 99.2	97.0 97.0	0.66 0.66	99.4 99.4	*** 99.4	0.4 ***	0.4 0.4	0.8 0.4	0.4 0.0	4.2 4.2	4.8 4.8	2.9 2.9	8.0 8.0	1.2 1.2	1.2 0.8	0.8 0.4	11 110
	24 2	96.7	99.0	0.96	8.86	97.0		6 ***	0.4	0.4 0	0.4 0	0.8	0.4 0	4.4 4	4.8 4	2.4 2	0 8 0		1.2 1	1.0	1 8 1
PAM250 e gle	22	3 96.4	3 98.4	8 95.4	2 98.2	9.96	* *	1.0	1.0	1.0	1.0	1.4	1.0	4.8	5.2	3.5	1.4	1.8	1.8	1.4	25
lustalV (r triangle	3 20	96.2 98.8	98.2 96.8	95.2 97.8	*** 96.2	*** 6	8 3.5	2 3.1	2 3.1	8 3.1	2 3.1	2 3.5	8 3.1	0 2.2	4 2.7	7 1.4	6 3.5	0 3.9	6 3.9	2 3.5	7 7
Pair Distances of protein MEG ClustalV (PAM250) Percent Similarity in upper triangle Percent Divergence in lower triangle	16 18	96.0 96	95.8 98	6 ***	5.0 **	2.2 3.9	4.8 1.8	4.1 1.2	4.1 1.2	4.1 0.8	4.1 1.2	4.5 1.2	4.1 0.8	1.8 5.0	2.5 5.4	2.0 3.7	4.5 1.6	5.0 2.0	5.0 1.6	4.6 1.2	16 35
of protein Similarit	10	2.96	*	4.3	1.8	3.3	1.6	1.0	1.0	1.0	1.0	1.4	1.0	4.4	5.0	3.1	1.4	1.8	1.8	1.4	36
stances o	2	* *	3.3	1.0	3.9	1.2	3.7	3.1	3.1	3.1	3.1	3.5	3.1	1.0	1.6	1.0	3.5	3.9	3.9	3.5	7 7
المراقعين Pair Dis	SEQ ID	2	10	16	18	20	22	24	26	28	30	32	34	36	38	40	61	55	25	59	48